

RENTAL HOUSING MEDIATION TASK FORCE
MINUTES

December 3, 2008
630 Garden Street
Santa Barbara, California, 93101

1. CALL TO ORDER & ROLL CALL:

| | | | |
|------------------|----------|------------------------|----------|
| LESSA BECK | <u>X</u> | BILL HURST | <u>E</u> |
| MICHAEL BIFANO | <u>E</u> | MARSHALL SHERRILL | <u>X</u> |
| BENJAMIN BUSH | <u>X</u> | BARBARA SMITH SHERRILL | <u>X</u> |
| SILVIO DILORETO | <u>X</u> | SKIP SZYMANSKI | <u>X</u> |
| ANN FRYSLIE | <u>X</u> | SCOTT WEXLER | <u>E</u> |
| DANIEL HERLINGER | <u>E</u> | BRUCE WOLLENBERG | <u>X</u> |

X = Present

A = Absent

E = Excused

Officers: Marshall Sherrill President, Ben Bush Vice President & Barbara Smith Sherrill Secretary
Staff Present:

2. PUBLIC COMMENT:

The Rental Housing Mediation Task Force (RHMTF) was conducted in compliance with the standards set by the Americans with Disability Act. No members from the public were present to address the RHMTF.

3. APPROVAL OF MINUTES:

Minutes of November 5, 2008: Silvio Di Loreto made a motion to approve the Minutes of the November 5, 2008 meeting. Bruce Wollenberg seconded the motion and it passed.

4. CITY ADVISORY GROUP RECRUITMENT:

A. Mediator Terms to Expire/Certificates of Recognition: Marshall Sherrill, President, shared that Michael Bifano (Tenant) appointed in 2005, Ann Fryslie (Homeowner) appointed in 2005, and Bill Hurst (Homeowner) appointed in 2005, terms were scheduled to expire on December 31, 2008. He stated that Certificates of Recognition would be presented at the January 7, 2009 meeting.

B. Interviews and Appointments: The President stated that mediator interviews were completed for the six vacancies on the RHMTF, and that City Council appointments would be made on December 16, 2008.

5. OFFICER INSTALLATION:

A. December 3, 2008: Skip Szymanski made a motion to induct the new RHMTF officers: Ben Bush, President, Barbara Smith Sherrill, Vice President, and Lessa Beck, Secretary. Bruce Wollenberg seconded the motion and it passed.

B. Certificate of Recognition to Marshall K. Sherrill, Past President: Andrea Bifano announced that a Certificate of Recognition would be presented to Marshall K. Sherrill, President for two terms, at the meeting on January 7, 2009.

RENTAL HOUSING MEDIATION TASK FORCE MINUTES
DECEMBER 3, 2008
PAGE 2.

6. OUTREACH:

A. *Up-date:* An outreach was held at the Santa Barbara City College's campus center patio on November 18, 2008, from 10:00 am to 1:00 pm. Benjamin Bush, Silvio Di Loreto, and Ann Fryslic participated in the outreach.

7. CASELOAD REPORT AND MEDIATION TRAINING: (Approximately 1 hour)

A. *November Statistics:* The statistical report for the month of November 2008 was distributed.

B. *Mediations/Skills:* Two of the mediations and the Landlord-Tenant fact patterns were discussed, along with the skilled utilized during their resolution, per the Dispute Resolution Programs Act Training Section 3622. (c)(8) *General Review of Fact Patterns Present in Typical Disputes, Including Landlord-Tenant.*

The first case was mediated by Marshall Sherrill, Silvio Di Loreto, Ben Bush, and staff. Netza Ortiz, translated the bi-lingual mediation. Parties included: Three landlord representatives, and six tenant representatives. The issues were termination of tenancy and security deposit. Skills utilized included: Caucus, summarizing and chalk board illustration. The mediation was successful; a Binding Settlement Agreement was written and signed by all parties.

The second case was mediated by Ann Fryslic, Bruce Wollenberg and staff. Parties included: Two landlord representatives and two tenant representatives. The issues were termination of tenancy and reasonable accommodation. Skills utilized included: restating/reframing the positions of the parties, conveying offers with use of the chalk board and caucus. The mediation was successful; a Binding Settlement Agreement was written and signed by all parties.

C. *Certificates:* Staff stated that Mediation Training Certificates would be presented at the meeting on January 7, 2009, to those mediators who completed the required 25 hour training, in compliance with the California Dispute Resolution Programs Act.

8. ANOUNCEMENTS:

Andrea Bifano announced that up-coming meeting dates had not yet been discussed. A discussion followed. Skip Szymanski made a motion that meetings for the first half of 2009 be bi-monthly, (January 7, March 4, and May 6, 2009) and dark meetings for June, July and August, 2009. Barbara Smith Sherrill seconded the motion and it passed.

9. ADJOURNMENT:

Meeting adjourned at 8:35pm.